

May 2021



## The Commission Lays Critical Foundation for the Collection of Criminal Justice Data

In the 2020-2021 Legislative session, the Arizona Criminal Justice Commission (ACJC) in partnership with Representative Walt Blackman spearheaded HB2166 which allows for the collection of criminal justice data statewide. HB2166 directs state and local criminal justice agencies to submit any necessary information that is currently collected and readily reportable to the Arizona Criminal Justice Commission.

The legislature is placing greater emphasis on the collection and reporting of criminal justice data in order to make sound policy changes to impact Arizona's criminal justice system. As a bi-partisan agency that represents a broad cross-section of the criminal justice system, has implemented many statewide criminal justice system enhancement projects and houses the state's criminal justice statistical analysis center, ACJC is the most appropriate agency to collect and report criminal justice data.

Beginning in May, Commission staff will conduct a comprehensive survey of data from criminal justice agencies across the state to create a state criminal justice data inventory report identifying what data is housed at each type of agency.

Through this effort, ACJC will be establishing a first-of-its-kind comprehensive repository of statewide criminal justice data known as the Data Visualization Center (DVC) to better inform policy makers, researchers, and the public.

"We strongly believe that with the passage of HB2166, this will give the state the best chance at creating a process that will lead to long-term success in collecting criminal justice data in a way that it allows for you as policymakers to turn data into information upon which you can make sound policy decisions," said ACJC Executive Director Andrew T. LeFevre.





# SPOTLIGHT

## Arizona's Drug Task Forces

### **Mohave Area General Narcotics Enforcement Team (MAGNET)**

Since 1987, the Arizona Criminal Justice Commission has provided funding under the Drug, Gang, and Violent Crime Control Grant to enhance efforts to deter, investigate, prosecute, adjudicate and punish drug offenders. The grant comprises federal, state, and local funding awarded by the Commission each year on a competitive basis. In FY 2020, the Commission awarded \$9.1 million for 35 projects across the state, 14 of which were drug task forces. The overall goal for drug task forces is reducing drug activity or drug-related street gang activity.

One of the funded drug task forces is the Mohave Area General Narcotics Enforcement Team (MAGNET), in existence since 1987. Each year, MAGNET aggressively fights illicit drug crime in Mohave County. The mission of MAGNET is to reduce illegal drug activity in Mohave County and its impact on Arizona and other areas of the country by targeting major traffickers, distributors, and manufacturers.

In FY 2020, MAGNET utilized about \$1.5 million in funding from federal, state, and local sources to respond to the county's illegal drug problem. About 60 percent of the funding used to support MAGNET operations came from various grant sources, including the ACJC Drug, Gang, and Violent Crime Control grant.

Located in northwestern Arizona and spanning over 13,469 square miles, Mohave County is the fifth-largest county (by area) in the United States. Several key interstate corridors run through the county, making it a prime drug trafficking attraction. These major highways are a critical thoroughfare for drug smugglers and a distribution hub for transporting illicit drugs, drug-related assets, and weapons.

The county's greatest drug threats are meth, fentanyl, heroin, and cocaine. An essential function of MAGNET is the seizure of illicit drugs. Between fiscal years 2019 and 2020, MAGNET experienced significant increases in seizures of cocaine (160% increase), LSD (425% increase), methamphetamine (1,356% increase), psilocybin (897% increase), and prescription pain relievers (900% increase).

The impact of MAGNET's work is exemplified by some notable cases last year. An investigation into the Acoltzi-Bautista Drug Trafficking Organization (DTO) found that Acoltzi-Bautista trafficked methamphetamine and heroin from Mexico for distribution in Mohave County and Las Vegas, NV. Acoltzi-Bautista and a network of drug dealers were major distributors selling methamphetamine and heroin throughout the county, and the distribution network stretched into California, Nevada, and Iowa. With the assistance of the Arizona DPS GIITEM task force and the U.S. Department of Homeland Security, investigators seized 120 pounds of methamphetamine, two pounds of heroin, 38 guns, and \$500,000.

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# VICTIMS' RIGHTS WEEK 2021 SPOTLIGHT



**SUPPORT VICTIMS.  
BUILD TRUST.  
ENGAGE COMMUNITIES.**

## Distinguished Service Award, Innovative Practices

*Cindy Woods, Mohave County Attorney's Office*



Cindy Woods is the Victim Compensation Advocate of five years for the Mohave County Attorney's Office. Cindy demonstrated her innovative skills and initiative while helping a family after an immense tragedy in 2019. Cindy noticed a cry for help when a local high school senior passed away in a tragic boating accident on Lake Mead. With friends of the victim's family calling out to the community for support, Cindy wanted to take action and made a persistent effort to contact the family. She utilized the modern power of social media to make this effort to reach out a hand to a family in need. Her efforts were successful and soon enough she was able to employ the Mohave County Victim Compensation Program to assist the family with expenses related to the tragedy.

Woods success was achieved through a true passion for ensuring that victims are served no matter what, as this case was not even in her jurisdiction. Cindy Woods is respected and trusted by those around her to exhibit her compassion for victims by any means necessary, and she remains unafraid to exercise the unconventional.

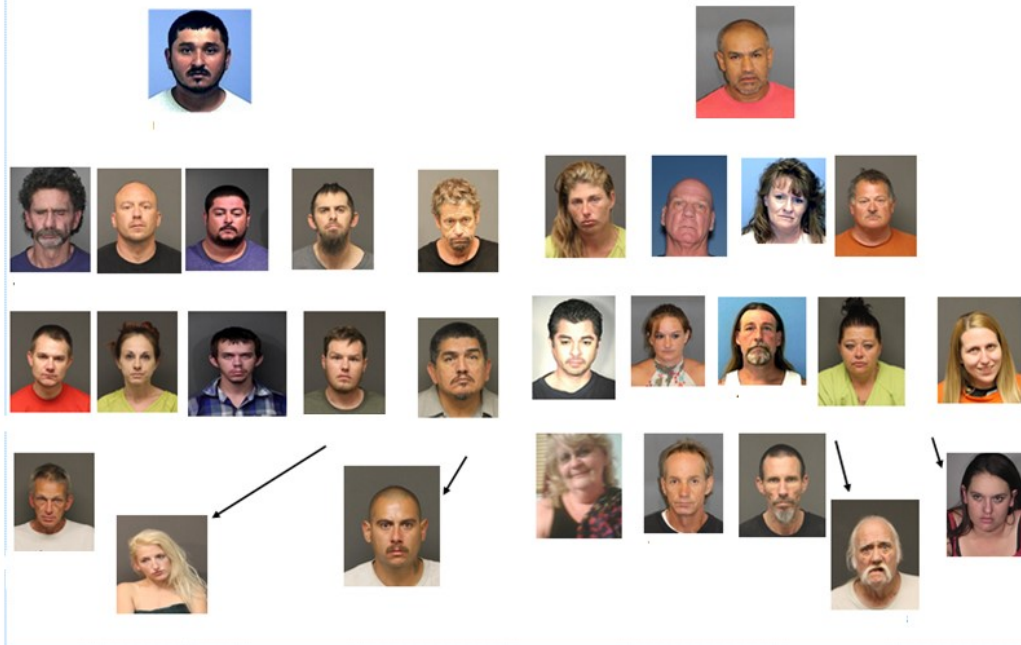
## ACJC's Victims Services Program staff Supporting Victims Rights Week





## OPERATION KING CRIMSON

Flow Chart 4/9/2020



*Continued from page 2*

MAGNET ended a two-year-long investigation nicknamed "Operation King Crimson" and emphasized the critical partnership between federal, state, and local law enforcement agencies working together to address illicit drug crime. The investigation included the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the U.S. Drug Enforcement Administration (DEA), and the Arizona financial crimes task force made up of members from the Arizona Attorney General's Office, Department of Public Safety, and the Phoenix Police Department. The investigation led to the dismantling of two DTO's operating in Kingman, AZ.

During a traffic stop on I-40 of a semi-tractor-trailer truck, MAGNET detectives searched and discovered significant quantities of cocaine and methamphetamine. The seizure netted approximately 168 kilograms of cocaine and 220 pounds of methamphetamine with a combined street value of roughly \$12.7 million.

MAGNET's partnerships and collaborations help build solid cases for investigators and prosecutors with the focus on impacting the illicit drug problem at the local, state, national, and international levels. Intelligence sharing has benefited not only MAGNET investigations but also other jurisdictions nationwide to reduce the illicit drug supply and hold offenders accountable.

*Contributing author: Jennifer Sochocki, Support Service Administrator, Kingman Police Department*





## ARIZONA DISPOSITION REPORTING SYSTEM

### ACJC is Enhancing the Completeness of the Criminal History Records System

When it comes to background checks, many are not aware of the implications of inaccurate criminal history records until issues begin to arise. Background checks are required for jobs in education, nursing homes, and daycare facilities, just to name a few. If a complete criminal history is not in place, individuals who have crimes in their backgrounds may slip through the cracks and find their way into jobs where they shouldn't be employed. This is a very serious issue and one that Arizona is not taking lightly.

In response, Arizona has prioritized improving its criminal history records in order to collect accurate and complete data for all arrests and subsequent case disposition information for felony offenses, offenses relating to driving under the influence, sexual offenses, and domestic violence-related offenses. The collected information is stored electronically in the state criminal history record system, called the Arizona Computerized Criminal History (ACCH) repository, and each arrest charge is matched to the associated case disposition information for that charge by way of fingerprints.

The goal of the ADRS project has been to develop and implement a data exchange system to allow the electronic transfer and submission of criminal history record information to the ACCH repository within 24 hours. The Arizona Criminal Justice Commission (ACJC) utilized a phased approach in improving ADRS reporting by focusing first on county attorney's offices across the state with the intention of engaging city prosecutor's offices for future phases. In addition, ACJC has provided funding to several county attorney's offices in an effort to upgrade their case management systems to report ADRS information to the ACCH repository in a more accurate and timely manner. Five counties have completed the project and are submitting electronic dispositions to DPS and eight counties remain in various phases of implementation (e.g., testing, upgraded CMS installation, etc.).

Since ACJC began the ADRS project with the county attorney's offices, the state as a whole has seen a significant improvement in the completeness of criminal history records in the ACCH repository. From CY2016 to CY2020, the number of arrest charges in the ACCH repository with at least one disposition increased from 59 percent to 78.1 percent, a 30 percent increase during the reported time period. As noted above, ACJC is currently still in the implementation phase with several agencies and once completed, nearly 90 percent of the county attorney's offices in Arizona will be submitting electronic dispositions to DPS; in turn, improving the overall quality of Arizona's criminal history records which benefits all Arizona criminal justice agencies.





# 2021 Legislative Summary

The following are bills that have been signed into law

**HB2066 – (Chapter 73): Arrest Procedures; Magistrates.** If the offense a person is arrested for was committed in another county, the arrested person may be taken before either the nearest or most accessible magistrate in the county in which the arrest occurs or the county where the offense was committed.

**HB2067 – (Chapter 159): Criminal Conviction; Set Aside; Applicability.** If the court grants an application to set aside the judgment of guilt, the court's order is required to include a certificate of second chance if the person has not previously received a certificate and the person was convicted of a misdemeanor, of a class 4, 5, or 6 (three lowest) felony and at least two years have elapsed since the person fulfilled the conditions of probation or sentence, or of a class 2 (second highest) or 3 (upper mid-level) felony and at least five years have elapsed since the person fulfilled the conditions of probation or sentence.

**HB2073 – (Chapter 96): Records; Confidentiality; Eligible Individuals.** For the purpose of statute allowing eligible persons to file an affidavit to request county officers and state agencies prohibit access to that person's information contained in certain public records, the definition of "eligible person" is expanded to include former county attorneys, former municipal prosecutors, former attorneys general, former U.S. Attorneys, commissioners of the municipal court, hearing officers appointed for civil traffic violations, and members of the Commission on Appellate Court Appointments. Persons whose residential address is protected from public disclosure are not required to disclose their address when making campaign contributions and are instead required to provide an alternate mailing address.

**HB2075 – (Chapter 74): Sentencing; Judgement of Guilt; Fingerprints.** The court must require either that a defendant's fingerprint be permanently affixed to a court document or order, or that the defendant's two fingerprint biometric-based identifier be obtained and recorded, and is no longer required to affix or obtain and record a defendant's fingerprint "at the time of sentencing and in open court."

**HB2162 – (Chapter 192): Undesignated Offenses; Misdemeanor Status; Exceptions.** An undesignated felony offense must be treated as a misdemeanor until the court enters an order designating it a misdemeanor or felony, instead of being required to be treated as a felony until the court enters an order designating it a misdemeanor. Some exceptions. On the person's "successful" (defined) fulfillment of the conditions of probation and discharge by the court, the court is required to designate an undesignated offense a misdemeanor. Does not apply to a person who owes victim restitution or who has willfully failed to pay a monetary obligation ordered by the court. Applies to a person who is convicted on or after the effective date of this legislation.

**HB2166- (Chapter 101) ACJC's Data Collection Bill.** This bill gives our agency the ability to do an audit of ALL criminal justice data currently collected and readily reportable by CJ agencies statewide. So many of you may receive this survey in which case you will know that it is the first step in ACJC developing an online portal of criminal justice data for the state.

**HB2158 – (Chapter 258) Orders of Protection-** This bill was a legislative fix regarding the AZPoint Orders of Protection system. Initially, the Sheriffs were the holder of record for Orders of Protection/Injunctions against harassment. Through stakeholder discussions, the holder of record for these orders will be the Administrative Office of the Courts.

**S1067 (Chapt 173): Prisoners; Discharge; Transition Program** - Retroactive to July 1, 2020, the statutory termination date for the Department of Corrections Transition Program is extended ten years to July 1, 2030. Effective October 1, 2021, eligibility criteria for the Program is modified to allow inmates convicted of assault, aggravated assault or robbery to participate if other eligibility criteria are met.

**S1256 (Chapt 40): Victims' Privacy; Criminal Case Information** -A victim's identifying and locating information that is obtained, compiled or reported by a law enforcement agency or prosecution agency must be redacted from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant's attorney or any of the attorney's staff.

**HB2168 (Chapt 290) – Use of Force; Reports; Analysis** - This establishes ACJC as the collection agency for Use of Force data. However, the collection won't begin until January of 2023.

**HB2186 (Chapt 103) – Prosecution; Deferred; Diverted**

The county attorney is no longer prohibited from diverting or deferring the prosecution of a person who has been previously convicted of a serious offense, a sexual offense, a dangerous offense, or a dangerous crime against children, or who has been convicted three or more times of either personal possession of a controlled substance or personal possession of drug paraphernalia.

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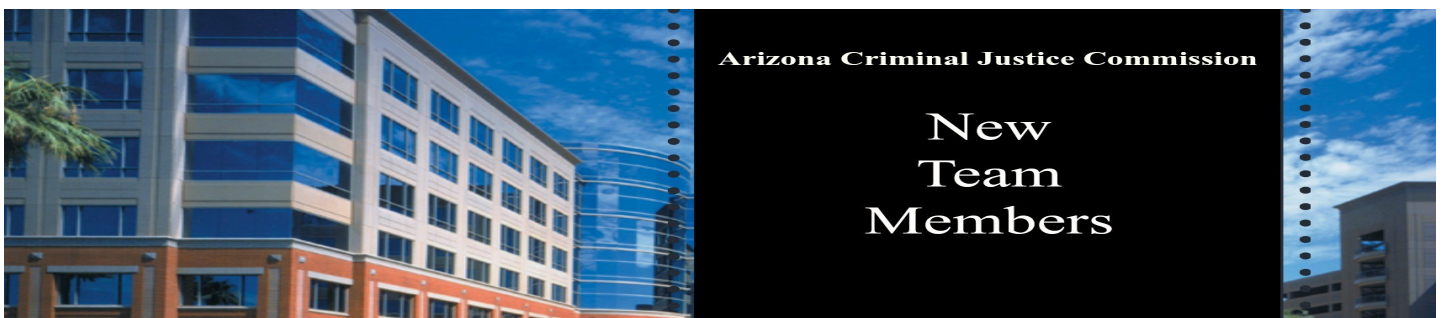
**SB1064 – Earned Release Credits; STRIKER Bill**

**HB2491 – Wrongful Arrest, Record Clearance – Senate Rules.**

If a law enforcement officer or a party in a criminal case determines that a person has been wrongfully arrested or charged with a crime, the officer or party is required to notify the person of the right to file a petition in the superior court for entry on all records of a notation that the person has been cleared. The clerk of the court is prohibited from imposing a fee for filing the petition. A person whose record is cleared is authorized to deny that the arrest or charge ever occurred.

**Amendment**

Removes the Courts from the list of parties required to notify a wrongfully arrested person of his or her right to petition for record clearance. 2. Prohibits the Courts from charging a filing fee for the petition to clear a record.



**Joseph Micallef, Senior Research Analyst, Statistical Analysis Center Program**

Joseph Micallef joins ACJC as a Senior Research Analyst with the Statistical Analysis Center Program. Joseph was born in Michigan and grew up in Chandler, AZ, attending Basha High School. From there he earned his bachelor's degree in Political Science from Michigan State University and his master's in Public Administration from the Evans School of Public Policy and Governance at the University of Washington. While in school he did public policy research, focusing on a variety of state and local policy issue areas.



## ACJC Revives the John R. Justice Grant Program

### *Grant Funding Provided to Prosecutors and Public Defenders for Student Loan Assistance.*

For the first time, the Arizona Criminal Justice Commission has been selected to serve as the State Administering Agency (SAA) for the John R. Justice Student Loan Repayment Program (JRJ Grant). This invaluable program provides loan repayment assistance for state and federal public defenders and state prosecutors who agree to remain employed as public defenders and prosecutors for at least three years.

To qualify, an individual must be a “full-time” employee of a state or unit of local government or qualifying non-profit. Full-time employment is defined as “not less than 75 percent of a 40-hour workweek” for the purpose of this program.

The grant closed on February 15, 2021 and ACJC received applications from 16 prosecutors and public defenders across the state for a chance at part of the \$40,773 for student loan assistance. The grant funding is determined by a formula that the Bureau of Justice Administration establishes. The Bureau of Justice Statistics will calculate a minimum base allocation for each state and the District of Columbia, which is then enhanced by an amount proportional to the state's share of the national population.

ACJC has been working in partnership with multiple APAAC and APDA members to ensure our agency comes up with a fair and equitable plan on how to distribute the award money to those that apply.

For more information about the John R. Justice Student Loan Repayment program, visit <https://www.azcjc.gov/Grants/John-R-Justice-Program>

## ACJC to launch a Criminal Justice Podcast series

ACJC will be launching a bi-monthly podcast that will cover important criminal justice topics. They will be designed to serve as a resource to highlight key criminal justice issues and the important initiatives underway both locally and nationally.

For more information, contact Molly Edwards, Public Information Officer at [medwards@azcjc.gov](mailto:medwards@azcjc.gov)

### Contact Us

Arizona Criminal Justice Commission  
1110 W. Washington Suite 230  
Phoenix, Arizona 85007  
Phone: 602-364-1147

[www.azcjc.gov](http://www.azcjc.gov)



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*“Our mission is to continuously address, improve, sustain and enhance public safety in the state of Arizona through the coordination, cohesiveness and effectiveness of the criminal justice system.”*